

**LSBME Substance Abuse and
Drug-Free Workplace Policy**

POLICY NUMBER: 041700-02

CONTENT: Substance abuse and drug-free workplace policy and provisions.

EFFECTIVE DATE: Issued: April 17, 2000



EMPLOYEE SUBSTANCE ABUSE AND DRUG-FREE WORKPLACE POLICY

I. PURPOSE AND SCOPE

The use of illegal drugs and abuse of alcohol or other controlled substances, on or off duty, is inconsistent with law abiding behavior expected of all citizens. The LSBME will not tolerate any substance abuse or use, which imperils the health and well being of its employees or threatens its services to the public. Employees who use illegal drugs or abuse alcohol or other controlled substances on or off duty, tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost, delay and risk in providing services.

Substance abuse inflicts a terrible toll on the State's productive resources and the health and well being of Louisiana workers and their families. Furthermore, employees have the right to work in a drug and alcohol free environment and to work with persons free from the effects of drug or alcohol abuse. Employees who abuse drugs or alcohol are a danger to themselves and to other employees. Ultimately, they threaten the State's ability to serve the public.

The LSBME is committed to maintaining a safe and healthy workforce free from the influence of substance abuse. In addition, the LSBME will comply with the requirements of the Federal Drug-Free Workplace Act of 1988.

Applicability – The Employee Substance Abuse and Drug-Free Workplace Policy applies to all LSBME employees. State employees, as used in this Policy, means all classified and unclassified employees.

II. DEFINITIONS

Drug-free Workplace – A site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the federal Drug-Free Workplace Act of 1988.

Controlled Substance – Any drug, substance of immediate precursor in Schedule I through V of La. R.S. 40:964 or Section 202 of the Controlled Substance Act (21 U.S.C. 812).

Criminal Drug Statute – A criminal statute involving manufacture, distribution, dispensation, use or possession of any controlled substance.

Conviction – A finding of guilt or a plea of *nolo contendere* or imposition of sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or State criminal drug statutes.

III. POLICY

It shall be the policy of the LSBME to maintain a drug-free workplace and workforce free of other substance abuse.

- A. Reporting to work or performing work for the State while under the influence of and impaired by illegal drugs or alcohol is prohibited.
- B. The illegal use, possession, dispensation, distribution, manufacture, or sale of controlled substances by employees at the work site, and while the employee is on official state business, on duty or on call for duty is prohibited.
- C. Violation of such prohibitions by LSBME employees is considered conduct detrimental to State service and may result in discipline and/or a directive to participate in a rehabilitation program.
- D. Employees are required by federal law to notify the employing State agency head or designee within five (5) days of conviction under any criminal drug statute where such conviction occurred in the workplace, while on official business, during work hours or when on call for duty.

An employee who is convicted of violating any criminal drug statute in such workplace situations as stated above may be subject to disciplinary action and/or directive to participate in a rehabilitation program.

- E. Agencies who receive federal grants or contracts must report any such criminal drug statute convictions of their employees to the federal agency from which grants or contracts are received within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such conviction.
- F. Employees will be given a copy of the employee substance abuse and drug-free workplace policy. Employees will be informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy. Notification of this policy shall be required as part of new employee orientation.

IV. ASSISTANCE PROGRAM

Employers shall encourage and support their employees in seeking rehabilitation services and should assist them in utilizing any available State-supported services. Use of sick, annual and compensatory leave and leave without pay for purposes of *bona fide* rehabilitation efforts is encouraged.

V. AWARENESS PROGRAM

The LSBME will strive to educate employees about the dangers of substance abuse.

The LSBME will establish a Substance Abuse Awareness Program to assist employees to understand and avoid the perils of drug and alcohol abuse. The LSBME will use that program in an ongoing educational effort to prevent and eliminate abuse that may affect the State workforce.

The Substance Abuse Awareness Program will contain provisions to inform employees about the: (1) dangers and recognition of alcohol and drug abuse; (2) Employee Substance Abuse and Drug-Free Workplace Policy; (3) availability of treatment and counseling for employees who voluntarily seek such assistance; (4) sanctions the LSBME will impose for violations of its Substance Abuse and Drug-Free Workplace Policy.

**Certification of Receipt of the LSBME Substance Abuse and Drug-Free Workplace Policy
(Issued: April 17, 2000)**



I certify that I have received, read and understand the LSBME Substance Abuse and Drug-Free Workplace Policy.

Signature

Print Name

Date



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